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Letter dated 23 March 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the President of the Security Council

Considering that I withdrew my request to make a statement at the 4117th meeting of the Security Council, held on 22 March 2000, on "The situation in Bosnia and Herzegovina" in order to facilitate its work, I would greatly appreciate if you would have the statement that I prepared to deliver before the Council included as an integral part of its debate in document S/PV.4117 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Vladislav **Jovanovic**
Chargé d'affaires a.i.

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Annex

Statement by Vladislav Jovanovic, Ambassador Extraordinary and Plenipotentiary, Chargé d'affaires a.i. of the Permanent Mission of the Federal Republic of Yugoslavia to the United Nations

At the beginning of my statement, I would like to point out that, in the opinion of the Federal Republic of Yugoslavia, certain progress has been achieved in the implementation of the Dayton/Paris Peace Agreement. However, the progress is far from satisfactory. The overall, and very worrisome, tendency of the post-Dayton process is that the letter and spirit of Dayton are continuously violated. One should always bear in mind that the Dayton /Paris Peace Agreement is the key for preserving peace in Bosnia and Herzegovina. It reflects a delicately defined balance of power and the subtle harmonization of profound differences in positions and interests of all three peoples and the two Entities of Bosnia and Herzegovina: the Serbs, the Croats and the Muslims and of Republika Srpska and the Muslim-Croat Federation.

The quality and pace of the implementation of the Agreement is not satisfactory. The Agreement must be applied strictly. It must be complied with primarily by those who are the most responsible for its implementation, as well as by those who are genuinely committed to the maintenance of lasting peace and TO the survival and development of Bosnia and Herzegovina.

The Federal Republic of Yugoslavia remains firmly committed to the Dayton/Paris Peace Agreement and, as one of its signatory parties and guarantors, it insists on its strict implementation. However, I would like to point out that, unfortunately, the implementation process has seen certain reversals, not least because of the less than benevolent attitude of the most responsible representatives of the international community, in particular the High Representative and the Special Representative of the Secretary-General for Bosnia and Herzegovina who, violating the Dayton/Paris Peace Agreement, deepen instability in Bosnia and Herzegovina and transform it into a colonial protectorate.

Instead of being the most active guardian of the legality established by the Dayton/Paris Peace Agreement and contrary to the mandate entrusted him, the High Representative is acting like a sovereign ruler. Very often he causes enormous damage to the development of the Dayton/Paris Peace Agreement by his decisions, preventing, in a systematic way, the legitimate institutions in Bosnia and Herzegovina and in the two Entities, elected on verified, democratic, free and fair elections, from taking root by assuming their constitutional responsibili-

ties. It is very hypocritical indeed to preach democracy, while at the same time trample upon the basic democratic norms of political pluralism by removing from the office the President of Republika Srpska and scores of other legally elected officials in both Entities and of all three peoples. The arbitrary attempts of the High Representative to expand, without any grounding and contrary to the Peace Agreement, his own powers make the proclaimed goals ever more difficult to achieve as these attempts run counter to the prerogatives of the constitutional organs of the two Entities and of Bosnia and Herzegovina as a common State. The difficulties inherent in the painstaking process of re-establishing the communalness in Bosnia and Herzegovina cannot be overcome by artificially expanding the powers of international factors and by taking undemocratic decisions; rather, it can be done by restoring and re-building trust and confidence by involving democratically elected constitutional organs and institutions in Bosnia and Herzegovina.

On the other hand, it should be pointed out that, by the original Draft Electoral Law, the High Representative made an effort, and succeeded in certain measure, to affirm at the same time the values of civil State and to pay equal heed to the interests of the two Entities and of all three peoples in Bosnia and Herzegovina. However, this rare example of positive attitude has been abandoned. The High Representative increasingly imposes unacceptable amendments along the line of majoritarianism and the unitarization of Bosnia and Herzegovina, contrary to the Dayton/Paris Peace Agreement. The High Representative would do well to return to the original concept of the Draft Electoral Law. The Corruption Law has a constitutional grounding and is, in principle, acceptable.

The efforts to set up a State Border Service are anti-Dayton acts along the lines of the unitarization of Bosnia and Herzegovina. They constitute an unlawful and unconstitutional encroachment upon the powers of the Entities. I would also like to draw attention to the increasing pressure being exerted with the aim of setting up a unified army of Bosnia and Herzegovina, which is absolutely unacceptable and may have unforeseeable consequences.

Foreign policy is a very sensitive issue, a testing ground, as it were, of the sincerity and commitment to the Dayton/Paris Peace Agreement. All its decisions must be taken by consensus and in accordance with the relevant laws in force. Representatives of Bosnia and Herzegovina abroad, especially its Ambassadors, must act in accordance with the directives of the Presidency of Bosnia and

Herzegovina. Considering that, in the writ of the Dayton/Paris Agreement, Bosnia and Herzegovina is a State consisting of two Entities, its Permanent Representative to the United Nations must strive to express the interests of both these Entities and of the three equal peoples of Bosnia and Herzegovina. The diplomatic/consular representatives of Bosnia and Herzegovina must respect the joint positions taken by, and instructions received from, the Presidency of Bosnia and Herzegovina and must not act in contrariety of the Peace Agreement and the Constitution of Bosnia and Herzegovina. There must be no attempt to centralize foreign-policy prerogatives or to dominate or impose the interest of any one people or Entity over another.

The Federal Republic of Yugoslavia is deeply concerned over the proclamation of Brcko a District of Bosnia and Herzegovina, which deepens mistrust and political instability in Bosnia and Herzegovina. This act represents yet another obvious attempt to impose external political and strategic goals in Bosnia and Herzegovina, contrary to the legitimate interests of Republika Srpska and the Serbian people in Bosnia and Herzegovina. The establishment of the third Entity is an outright violation of the Dayton/Paris Agreement and the Constitution of Bosnia and Herzegovina. That act runs counter to the territorial integrity and sovereignty of Republika Srpska. Percentage-wise, the territory established by the Dayton/Paris Agreement has been reduced and the new borders are being imposed, aimed at further dividing the Serbian people in Bosnia and Herzegovina. It is recalled that the Federal Republic of Yugoslavia was opposed to the unauthorized decision of the President of the Arbitration Tribunal and stated that, in accordance with the Dayton /Paris Peace Agreement, the Tribunal may decide only on a part of inter-Entity borderline, and not on the status of the town of Brcko. The Federal Republic of Yugoslavia calls on the international community represented in the Security Council and the Peace Implementation Council to annul the illegal decision of the President of the Arbitration Tribunal and the High Representative as unlawful and unconstitutional acts that are without legal effect.

Mr. President,

It is necessary that SFOR be impartial and act within its powers, so as not to further discredit its role in Bosnia and Herzegovina. The mining of part of the Belgrade-Bar railway line in the territory of Bosnia and Herzegovina during the aggression of the North Atlantic Treaty Organization (NATO) on the Federal Republic of Yugoslavia constitutes a gross abuse of the territory of Republika

Srpska contrary to the will of its people and Government and is a flagrant violation of the Dayton/Paris Agreement and relevant Security Council resolutions.

The Federal Republic of Yugoslavia is shocked and dismayed at the perfidious abduction of Serbian General Momir Talic, Chief of the General Staff of Republika Srpska. General Talic, who assumed his office with the SFOR and UN consent, had been invited by the Organization for Security and Cooperation in Europe (OSCE) to the international conference on military doctrines which he accepted and travelled to Vienna to make a contribution to the strengthening of stability and security in Europe. His abduction there is an act of sabotage of the Dayton/Paris Peace Agreement and does not contribute to the establishment of confidence in Bosnia and Herzegovina as a whole or the trust of the Serbian Entity in the international community.

Mr. President,

The economic situation in Republika Srpska is very difficult. The economy is at a standstill. Unemployment is over 50 per cent. The trappings of a unitary State are being buttressed at every turn, as well as the absorption of the self-government of the Entities, while every effort is made to divide the Serbs among themselves.

The international community is expected to provide financial support to the economic development of Republika Srpska and to put an end to the policy inimical to its interests, which may bring about negative developments in Bosnia and Herzegovina.

The process of reconstruction, re-building of infrastructure and the creation of favorable economic conditions on the basis of equality for both Entities and all three peoples is of utmost importance for the development of Bosnia and Herzegovina and its participation in European integrations. The economic reconstruction of Bosnia and Herzegovina, in particular the reconstruction of the infrastructure on its entire territory, is the key issue of the implementation of the Peace Agreement.

It is necessary to invest genuine efforts to create conditions for a free and safe return of refugees, all the more so as much of the expectations in that area have not been met. The refugees should be ensured unperturbed return and a free choice of residence without any administrative or artificial barriers. Selectivity in addressing the problem is contrary to the Dayton/Paris Agreement and does not contribute to the strengthening of trust and lasting stability in Bosnia and Herzegovina.